

Cancellation of Filings

Frequently Asked Questions

Here are some answers to questions we receive frequently from the public when we cancel a filing because a fee wasn't paid in full. We provide this for informational purposes only. It does not constitute legal advice.

Cancellation of Filings

1. [Why did you cancel my document filing? I know my payment was NSF, but I did submit the document for filing.](#)
2. [I got a Certificate of Cancellation. Do I have to start all over or can I still fix it and use the original filing?](#)
3. [So, how do I fix it after the filing's been cancelled?](#)
4. [I didn't get the NSF payment fixed within 10 business days of getting the Notice of Cancellation. What can I do to fix it now?](#)
5. [I paid what the invoice said. Why is my document's status on the website still "cancelled"?](#)
6. [What is the effective date of the Certificate of Cancellation?](#)
7. [Do I get to keep the same SOS ID number if I fix the issues related to NSF payment?](#)
8. [What is the effective date of the filing with the correct payment?](#)
9. I submitted a document (Articles) to start my business. You cancelled it because my payment was non-sufficient (NSF). I filed other documents before you cancelled the Articles. My payments for those documents were good. Now I've fixed the NSF problem.

[Do I have to re-file the documents which had good payments?](#)

10. [I filed an annual report and sent the fee. You cancelled the annual report because the payment was NSF. Does that mean you can now administratively dissolve my corporation or LLC?](#)

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1. Why did you cancel my document? I know my payment was made with non-sufficient funds (NSF), but I did submit the document.

There are 2 things you have to do to file a document with us: submit the document and pay the fee. You did the 1st one when you sent us the document. But because your check bounced, you haven't done the 2nd one. And, because your check bounced, there's a 3rd step: you also have to pay us the NSF or insufficient funds fee of \$25. You haven't completed step 2 or 3, so we have to cancel the filing.
[Read the Rule.](#)

2. I got a Certificate of Cancellation. Do I have to start all over or can I still fix it and use the original filing?

If you fix it within 10 business days from the date on the Certificate, you won't have to start all over.

3. So, how do I fix it after the filing's been cancelled?

You have to do the following things within 10 business days from the date on the Certificate:

1. We have stamped your filing "CANCELLED". So, you need to send us a new copy of the filing.
2. You need to send us a cashier's check or bring in cash. The amount you need to pay is:

$$\text{Original Filing Fee} + \$25.00 \text{ NSF Fee} = \text{Total amount due}$$
3. Enclose a copy of the Certificate of Cancellation so that we may apply the payment and filing accurately.

4. I didn't get the NSF payment fixed within 10 business days of getting the Notice of Cancellation. What can I do to fix it now?

You have to do **all 5** of these things:

1. You need to pay us what you owe us for the NSF payment. That means you need to send us a cashier's check or bring in cash. The amount you owe us is:

$$\text{Original Filing Fee} + \$25.00 \text{ NSF Fee}$$
2. You need to submit a new copy of the document you want to file with current information.

3. You need to submit payment in the amount of a new filing fee for the document.
4. You need to send us the cashier's checks, or bring us the cash, in one single transaction. You can use one cashier's check if it is for the total amount due. The total amount due is:

$$\text{Original Filing Fee} + \$25.00 \text{ NSF Fee} + \text{New Document Filing Fee} = \text{Total amount due}$$
5. Enclose a copy of the Certificate of Cancellation so that we may apply the payment and filing accurately and mail to: Corporations Division, PO Box 29622, Raleigh NC 27626-0622.

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6. I paid what the invoice said. Why is my document's status on the website still "cancelled"?

Your document's status is "cancelled" because you haven't done everything you need to do to get it filed. You had to pay within 10 business days of the cancellation and also send us a new copy of the document. Since you didn't do that, you have to do **both** of these things:

1. Submit a new copy of the document you want to file.
2. Send us a cashier's check or bring in cash in the amount of a new filing fee for the document.

7. What is the effective date of the Certificate of Cancellation?

The date of the initial filing.

8. Do I get to keep the same SOS ID number if I fix the issues related to NSF payment?

Yes, you'll get to keep the same SOS ID number. It doesn't make a difference when you fix all the issues.

9. What is the effective date of the filing with the corrected payment?

Fixing NSF Payment	Effective Date
Within 10 business days of NSF Notice	Does not change
Within 10 business days of Certificate of Cancellation	Date of initial filing
More than 10 business days after Certificate of Cancellation	Date second filing is accepted for filing

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10. I submitted a document (Articles) to start my business. You cancelled it because my payment was non-sufficient (NSF). I filed other documents before you cancelled the Articles. My payments for those documents were good. Now I've fixed the NSF problem.

Do I have to re-file the documents which had good payments?

The answer is "No" for the following reasons:

1. The NSF payment was fixed within 10 business days of receiving the Certificate of Cancellation date. The effective date of the entity returns to the original date and all subsequent filings are still active.
2. The NSF payment was fixed more than 10 business days after the Certificate of Cancellation was issued. The new Articles submitted for filing must contain current information including information on any document filed since the first Articles of Incorporation were filed.

For example: The first creation document was filed on February 12, 2011, a name change amendment was filed on March 13, 2012, and an annual report was filed on April 15, 2012. The first creation document fees were returned as non-sufficient. The Secretary of State's Office has the authority to cancel the filing due to non-payment of fees and the document was canceled on April 20, 2013. It is now June 3, 2013 (more than 10 business days after the cancellation date) and the entity wants to settle the matter and become current active. The document submitted for filing at this point must contain current information incorporating the name change and any information from the filed Annual Report.

11. I filed an annual report and sent the fee. You cancelled the annual report because the payment was NSF. Does that mean you can now administratively dissolve my corporation or LLC?

Yes, we can administratively dissolve a business if it doesn't pay the fee when an annual report is submitted. An NSF payment is the same as not having paid the fee.

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